

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

TSC RESEARCH, LLC, )  
)  
Plaintiff, )  
)  
v. ) 1:06CV701  
)  
BAYER CHEMICALS CORPORATION AND )  
LANXESS CORPORATION, )  
)  
Defendants. )

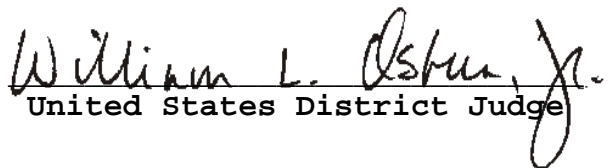
**O R D E R**

On November 29, 2007, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. No objections were filed within the time limits prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

**IT IS THEREFORE ORDERED** that, as a result of both the decisions set out in the Recommendation and those made in the hearing, Defendant's motion to dismiss (Doc. No. 21) is granted as to Counts 7, 8, 9, 10, 11, 12, and 13 of the amended complaint and denied as to Counts 3 and 6.

**IT IS FURTHER ORDERED** that the contract claims in Counts 2, 4, and 5 are dismissed for being substantively subsumed and incorporated in Count 3.

  
United States District Judge

March 4, 2008